

MEMO ENDORSED



In The Name of Allah, The Beneficent, The Merciful

**Hon. Katherine Polk Failla, United States District Judge
United States District Court, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2103
New York, New York 10007**

**Re: Paul Farrad Simmons v. Martin Kleinman, et al
Civil Action No.: 20-cv-05929 (KPF)**

MOTION TO DISMISS

**PLEASE TAKE NOTICE that I, Paul Farrad Simmons, Affirm
under penalty that the foregoing is True and Correct:**

- 1. That I am the plaintiff against the defendants, to wit,
Martin Kleinman, et al.,**
- 2. That this action was pending**

3. That since this action I have suffered a heart attack, a severe case of Divulculitis, the loss of my mother and due to the series of circumstances not to preclude that I am not as Literate to further represent myself Pro Se against several lawyers, as my state of mind and incapability can only result in my not being able to defend myself competently,

4. Thus, it is the pleading of the plaintiff pursuant to Rule 41(a)(1)(A)(i)(ii) of the FRCP to withdraw this action and dismiss without prejudice,

5. And to acknowledge that I am living below the poverty line and do not have any income.

WHEREFORE the plaintiff prays for the relief as sought and for such other and further relief as granted.

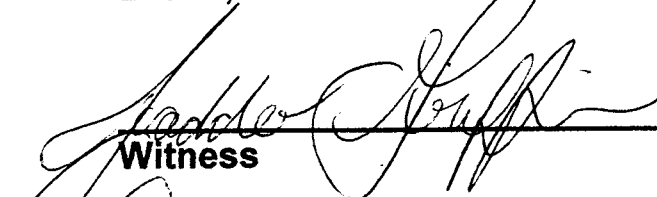
Dated: Bronx, New York
February 15, 2021

SIGNED AS TRUE AND CORRECT UNDER THE PENALTY OF PERJURY ON THIS 15TH DAY OF FEBUARY, 2021,

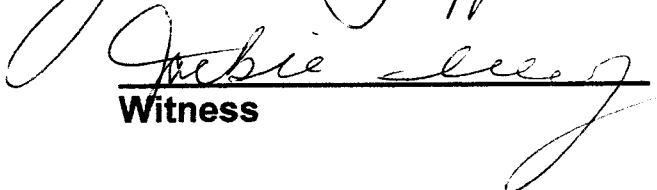


Paul Farrad Simmons
Plaintiff

175 Willis Avenue, Apt#4K
Bronx, New York 10454



Witness



Witness

Cc:

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The Court wishes to extend its condolences to Plaintiff.
Additionally, the Court hereby GRANTS Plaintiff's application.
The Clerk of Court is directed to terminate all pending motions,
adjourn all remaining dates, and close this case.

Dated: February 23, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE